

Knobbe Martens Olson & Bear LLP

Intellectual Property Law

550 West C Street
Suite 1200
San Diego CA 92101
Tel 619-235-8550
Fax 619-235-0176
knob.com

March 26, 2001
10:52 AM

ORIGINAL WILL FOLLOW VIA:

- ☐ Mail
☐ Courier
☐ International Airmail
☐ Hand Delivery
☒ Will Not Follow
☐ With Enclosures
☐ Without Enclosures

Facsimile Transmittal Sheet**Confidentiality Notice:**

The documents accompanying this facsimile transmission contain confidential information which may be legally privileged. The information is intended only for the use of the recipient named below. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us; any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited.

TO: Examiner Bradley Sisson

FIRM: USPTO

FACSIMILE NO.: (703) 308-8724

FROM: Dan Hart

CLIENT CODE: GENSET.020CP1

PAGES: 3 (INCLUDING THIS SHEET)

IF YOU DID NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK IMMEDIATELY.

MESSAGE:

As we discussed, attached please find a draft claim for the above-identified application for your consideration. I look forward to discussing the draft claim with you on Thursday, March 29 at 1:00 p.m. your time.

Louis J. Knobbe*
Don W. Marlene*
Gordon H. Olson*
James B. Bear
Darrell L. Olson*
William B. Bunker
William H. Neman
Arthur S. Ruse
James F. Leavitt
Nad A. Israelson
Drew S. Hamilton
Jerry T. Sewell
John B. Sganga, Jr.
Edward A. Schlatter
Gerard von Hoffmann
Joseph R. Re
Catherine J. Holland
John M. Carson
Karen Vogel Weil
Andrew H. Simpson
Jeffrey L. Van Hooser
Daniel E. Altman
Marguerite L. Gunn
Stephen C. Janssen
Vito A. Canuso III
William H. Shreve
Lynda J. Zadra-Symest
Steven J. Natapolsky
Paul A. Stewart
Joseph F. Janninga
Craig S. Summers
AnneMarie Kalsar
Brenton R. Babcock
Thomas F. Smegal, Jr.
Michael H. Trenholm
Diane M. Reed
Ronald J. Schoenbaum
John R. King
Frederick S. Beretta
Nancy W. Vansko

John P. Glazentanner
Adele S. Akhtar
Ginger R. Dreger
Thomas R. Arno
David N. Wells
Daniel Hart, Ph.D.
Douglas G. Muehlhauser
Lori Lee Yamato
Michael K. Friedland
Dale C. Hunt, Ph.D.
Richard E. Campbell
Stephen M. Labbin
Stacey R. Halpern
Lee W. Henderson, Ph.D.
Deborah S. Shepherd
Mark M. Abumeri
Jon W. Gurka
Eric M. Nelson
Mark R. Benedict, Ph.D.
Paul N. Conover
Robert J. Roby
Sabine H. Lee
Karoline A. Delaney
John W. Holcomb
James J. Mullen III, Ph.D.
Joseph S. Cianfrani
Joseph M. Relaman, Ph.D.
William R. Zimmerman
Glen L. Nuttall
Eric S. Furman, Ph.D.
Tirzah Abé Lowe
Geoffrey Y. Iida
Alexander Franco
Sanjivpal S. Gill
Susan M. Moss
James W. Hill, M.D.
Rose M. Thieszen, Ph.D.
Michael L. Fuller
Michael A. Guiliama
Mark J. Kertz

Rabinder N. Narula
Bruce S. Ilichkowitz, Ph.D.
Peter M. Midgley
Thomas S. McClenahan
Michael S. Okamoto
John M. Grover
Mallory K. Da Merlier
Irfan A. Lateef
Amy C. Christensen
Sharon S. Ng
Mark J. Gallagher, Ph.D.
David G. Jankowski, Ph.D.
Brian C. Horne
Payson J. LeMelleur
Diana W. Prince
William C. Boling
Sheila N. Swaroop
Ben A. Katzenellenbogen
Chanelle Lee Armstrong
Linda H. Liu
Vincent M. Pollmiller
Jeffrey S. Ellsworth
Andrew N. Marlickel, Ph.D.
Douglas T. Hudson
David L. Hauser
Kaare D. Larson
James F. Herkenhoff
Scott L. Murray
C. Philip Poltrier
Roger S. Shang
Andrew M. Douglas
Marc T. Morley
Salma A. Merani, Ph.D.
Tina M. Chappell
Sam K. Tahmassebi, Ph.D.
Jalal Sadr
Janalhan A. Hyman
Curtis C. Dozier

Of Counsel
Jerry R. Geller
Paul C. Steinhardt

Japanese Patent Atty
Katsuhiko Arai

European Patent Atty
Marlin Hellebrandt

Korean Patent Atty
Mincheol Kim
Heungsoo Choi

Solicitor (England & Wales)
J. David Everard

Scientists & Engineers
(Non-Lawyers)

Raimond J. Salenleke**
Jeffery Koepke, Ph.D.**
Khurram Rahman, Ph.D.
Jennifer A. Haynes, Ph.D.
Brendan P. O'Neill, Ph.D.
Tommy Y. Nagata
Megumi Tanaka
Che S. Chersokin, Ph.D.**
Erik W. Archbold
Phillip C. Hartstein
Julie A. Hopper
Chris S. Casle
James W. Ausley
R'Sue P. Caron, Ph.D.
Jennifer Hayes
Kirk E. Pastorian, Ph.D.
Charles T. Ridgely
Keith R. McCollum
Johofar F. Kerlee
Bonny Young, Ph.D.
Connie C. Tong, Ph.D.
Suzanne G. Jepson, Ph.D.
David K. Wiggins
Megan M. McCoy
Nira M. Brand
Catherine M. Sanders
Iman Bakht
Thomas E. Vesht
Jeffrey A. Hopkins

* A Professional Corporation
† Also Barister At Law (Eng & Wales)
** U.S. Patent Agent

820 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
Tel 949-780-9400
Fax 949-780-9502

201 California Street
Suite 1150
San Francisco CA 94111
Tel 415-854-4114
Fax 415-854-4111

1900 Avenue of the Stars
Suite 1425
Los Angeles CA 90067
Tel 310-551-3450
Fax 310-551-3458

3801 University Avenue
Suite 710
Riverside CA 92501
Tel 951-781-9231
Fax 951-781-4507



FAX
TELECOPY/FACSIMILE TRANSMISSION

DATE: 29 March 2001

PAGES: 4

TO: Daniel Hart
Knobbe Martens Olson & Bear LLP
San Diego, CA
619-235-8550

SERIAL/ DOCKET NO.: 09/463075 (GENSET.020CP1)

FAX NO.: 619-235-0176

FROM: Bradley L. Sisson, Primary Patent Examiner
Art Unit 1655; Telephone Number (703) 308-3978

GROUP 1650 FAX NUMBERS:

(703) 308-4242 (703) 305-3014

ALL FAX MACHINES WILL BE AVAILABLE TO RECEIVE TRANSMISSIONS 24 HRS/DAY, 7 DAYS/WEEK.

IN COMPLIANCE WITH 1096 OG 30, THE FILING DATE ACCORDED EACH OFFICIAL FAX TRANSMISSION WILL BE DETERMINED BY THE FAX MACHINE'S STAMPED DATE FOUND ON THE LAST PAGE OF THE TRANSMISSION, UNLESS THAT DATE IS A SATURDAY, SUNDAY OR FEDERAL HOLIDAY WITHIN THE DISTRICT OF COLUMBIA, IN WHICH CASE THE OFFICIAL DATE OF RECEIPT WILL BE THE NEXT BUSINESS DAY.

PATENT

Case Docket No. GENSET.020APC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Cohen, et al.

App. No. : 09/463,075

Filed : January 14, 2000

Examiner : B. Sisson

Group Art Unit : 1655

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

(Date)

Daniel Hart, Reg. No. 40,637

DRAFT*FOR DISCUSSION PURPOSES ONLY,*NOT FOR ENTRY IN FILE**

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

IN THE CLAIMS:

Please cancel Claims 90 and 91.

Please amend the following Claim:

86. A method of obtaining a plurality of ~~biallelic markers~~ single nucleotide polymorphisms comprising the steps of:

(a) obtaining a ^{human} nucleic acid library comprising a plurality of genomic DNA fragments ~~comprising containing~~ the full human genome or a portion thereof of the human genome comprising at least 100kb;

(b) determining the order of said plurality of genomic DNA fragments in the genome;

(c) ~~determining the sequence of~~ sequencing selected regions of said plurality of genomic DNA

PATENT

Case Docket No. GENSET.020APC

fragments; and

(d) identifying nucleotides in said ~~selected regions~~ ~~plurality of genomic DNA fragments~~ which vary between individuals, thereby defining a set of ~~biallelic markers~~ single nucleotide polymorphisms; wherein said plurality of single nucleotide polymorphisms comprises single nucleotide polymorphisms having a heterozygosity rate of at least about 0.18 and having a mean inter-marker spacing of less than 50kb.

REMARKS

Support for the size of the region is provided at pg 19, line 25 and pg 2, ln. 36.

Support for heterozygosity rate is found at pg. 24, ln. 20.

Preferred inter-marker spacing is described at pg 38, ln. 23-27.